

AMENDED IN SENATE MARCH 30, 2006

AMENDED IN SENATE MARCH 28, 2006

SENATE BILL

No. 1469

Introduced by Senator Cedillo

February 23, 2006

An act to add Section 14029.5 to the Welfare and Institutions Code, relating to Medi-Cal eligibility.

LEGISLATIVE COUNSEL'S DIGEST

SB 1469, as amended, Cedillo. Medi-Cal: eligibility: juvenile offenders.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, and under which qualified low-income persons receive health care benefits. The Medi-Cal program is governed, in part, by federal Medicaid provisions.

Existing law places specified juvenile offenders *in county juvenile detention facilities, or* under the jurisdiction of the Department of Corrections and Rehabilitation, Division of Juvenile Facilities, which may include detention in a juvenile facility.

This bill would require the division, *or a county juvenile detention facility*, to provide specified information relating to a ward of the division *or county* who is scheduled to be released to a parent or guardian to the appropriate county welfare department, and would require the county to *initiate an application and* determine the individual's eligibility for the Medi-Cal program, as specified. The bill would require the division *or county* to give a parent or guardian the opportunity to opt out of this eligibility determination. *The bill would require a county welfare department to provide sufficient*

documentation to enable the ward to receive medical care upon his or her release from custody, as specified.

This bill would require the division and the department, in consultation with designated entities, to collaborate to establish the protocols and procedures necessary to implement the bill. The bill would require the department to implement its provisions by means of all-county letters or similar instructions, and thereafter, to adopt implementing regulations, as necessary. The bill would require the department to seek any federal waivers necessary for its implementation.

By increasing the duties of counties administering the Medi-Cal program *and of county juvenile detention facilities*, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14029.5 is added to the Welfare and
2 Institutions Code, to read:
3 14029.5. (a) (1) Immediately following the issuance of an
4 order scheduling the release date of a ward from *a county*
5 *juvenile detention facility, or from* the custody of the Department
6 of Corrections and Rehabilitation, Division of Juvenile Facilities,
7 into the custody of his or her parent or guardian, the division *or*
8 *county juvenile detention facility* shall provide the appropriate
9 county welfare department with the ward's name, his or her
10 scheduled or actual release date, and sufficient information for
11 the county welfare department to begin the process of
12 determining the ward's eligibility for benefits under this chapter,
13 *including contact information for the ward's parent or guardian,*
14 *if available.*

(2) Prior to providing information to the county welfare department pursuant to this paragraph (1), the division *or county juvenile detention facility* shall notify the parent or guardian, in writing, of its intention to submit the information required by that paragraph to the county welfare department. The parent or guardian shall be given a reasonable time to opt out of the Medi-Cal eligibility determination provided for under this section, in which case the division *or county juvenile detention facility* shall not comply with paragraph (1).

(3) For purposes of this section “ward” means a person in the custody of the division *or a county juvenile detention facility*.

(b) (1) ~~Immediately upon~~ *Within 45 days of* receipt of the information described in paragraph (1) of subdivision (a), the county welfare department shall *initiate an application and* determine the individual’s eligibility for benefits under the Medi-Cal program, ~~and shall initiate an application for enrollment if the individual satisfies program eligibility requirements~~ *program*. The county welfare department shall promptly contact the parent or guardian to arrange for completion of the application. The county shall expedite the application of a ward who, according to the information provided pursuant to paragraph (1) of subdivision (a), is scheduled to be released in fewer than 45 days.

(2) If the county welfare department determines that the individual does not meet the eligibility requirements for the ~~full-scope no-cost~~ Medi-Cal program, the county welfare department shall forward the individual’s information to the appropriate entity to determine eligibility for the Healthy Families Program, or other appropriate health coverage program, as determined by the department.

(3) *If the county welfare department determines that a ward meets eligibility requirements for the Medi-Cal program, the county shall provide sufficient documentation to enable the ward to obtain necessary medical care upon his or her release from custody.*

(c) By March 31, 2007, the department and the division, in consultation with the Parole Services and Community Corrections Branch of the Division of Juvenile Justice, *the Chief Probation Officers of California*, and the County Welfare

1 Directors Association, shall collaborate to establish the protocols
2 and procedures necessary to implement this section.

3 (d) Notwithstanding Chapter 3.5 (commencing with Section
4 11340) of Part 1 of Division 3 of Title 2 of the Government
5 Code, the department shall implement this section by means of
6 all-county letters or similar instructions, without taking any
7 further regulatory action. Thereafter, the department shall adopt
8 regulations, as necessary, to implement this section in accordance
9 with the requirements of Chapter 3.5 (commencing with Section
10 11340) of Part 1 of Division 3 of Title 2 of the Government
11 Code.

12 (e) The department shall seek any federal waivers necessary
13 for the implementation of this section.

14 SEC. 2. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.